

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on



April 14, 2004

Date of Deposit

Steven P. Shurtz, 31,424

Name of Applicant, Assignee or  
Registered Representative

Steven P. Shurtz, Jr.

Signature

4-14-04

Date of Signature

Our Case No.: 396-488

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John Leahey

Serial No.: 10/755,980

Filing Date: January 13, 2004

For: BACTERIAL RETENTIVE, AIR  
VENTING INTRAVENOUS FILTER

Examiner: N/A

Group Art Unit No.: N/A

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

The references now cited are the following:

U. S. Patent Documents

No.	Date	Name
4,294,594	10/13/1981	Sloane, Jr. et. al.
5,348,646	09/20/1994	Costello, Jr. et al.
5,439,587	08/08/1995	Stankowski et al.
5,827,429	10/27/1998	Ruschke et al.

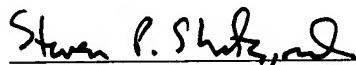
Other Art

*Filtration Solutions, for the health care industry, Gelman Sciences, Products Pamphlet, undated but prior to January 15, 2003, 6 pages*

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Applicant respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,

  
\_\_\_\_\_  
Steven P. Shurtz  
Registration No. 31,424  
Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, IL 60610  
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FORM PTO-1449	SERIAL NO. 10/755,980	CASE NO. 396-488
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	FILING DATE January 13, 2004	GROUP ART UNIT N/A
	APPLICANT(S): John Leahey	

**REFERENCE DESIGNATION                          U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
A1	4,294,594	10/13/1981	Sloane, Jr. et. al.	55/186	
A2	5,348,646	09/20/1994	Costello, Jr. et al.	210/94	
A3	5,439,587	08/08/1995	Stankowski et al.	210/321.64	
A4	5,827,429	10/27/1998	Ruschke et al.	210/321.75	

EXAMINER INITIAL	<b>OTHER ART – NON PATENT LITERATURE DOCUMENTS</b> <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)</small>	
A5	<i>Filtration Solutions, for the health care industry</i> , Gelman Sciences, Products Pamphlet, undated but prior to January 15, 2003, 6 pages	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

TRANSMITTAL LETTER			Case No. 396-488
Serial No. 10/755,980	Filing Date January 13, 2004	Examiner n/a	Group Art Unit n/a
Inventor(s) John Leahey			
Title of Invention BACTERIAL RETENTIVE, AIR VENTING INTRAVENOUS FILTER			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Transmittal letter (in duplicate), Information Disclosure Statement (in duplicate), Form PTO-1449, copy of reference A5, return postcard.

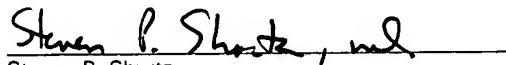
- Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- Applicant claims small entity status. See 37 CFR 1.27.
- Petition for a \_\_\_\_\_ month extension of time.
- No additional fee is required.
- The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity		Other Than Small Entity	
Rate	Add'l Fee	Rate	Add'l Fee
x \$9 =		x \$18 =	
x 43 =		x \$86 =	
+ \$145 =		+ \$290 =	
	Total add'l fee \$		Total add'l fee \$

- Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$ \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

  
 Steven P. Shurtz, esq.  
 Registration No. 31,434  
 Attorney for Applicant  
 Customer No. 00757 - Brinks Hofer Gilson Lione

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:  
 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 14, 2004.

Date: 4-14-04

Signature: Steven P. Shurtz, esq.